

Cherokee Nation Environmental Protection Commission

Minutes of December 1, 2005, Regular Meeting

206 E. Allen Road, Tahlequah, OK 74464

Present for the Commission:

Ed Fite, Chairman
Mark Green, Commissioner
Marty Matlock, Commissioner

Staff and Guests:

Doug Bane, Cherokee Nation Landfill
Harold Langdon, Cherokee Nation Enterprises
Harley Buzzard, Cherokee Nation Roads Program
Bill Hix, CN, Community Services, Water & Sanitation
Pat Gwin, Cherokee Nation Natural Resources
Angela Drewes, Cherokee Nation Natural Resources
Jeannine Hale, Acting Administrator Cherokee Nation Environmental Programs
Betty J. Wilson, Cherokee Nation Environmental Programs
Leslie Matthews, Cherokee Nation Environmental Programs
Ed Brocksmith, Save the Illinois River (STIR)

Agenda Items

1. Chairman Fite called the meeting to order at 9:00 am on December 1, 2005.
2. Chairman Fite acknowledged the meeting notice and distribution list and placed the Record of Public Notice into the official record.
3. Commissioner Green made a motion to accept the minutes of the previous meeting, Commissioner Matlock seconded the motion.

Roll Call

Chairman Fite: yes
Commissioner Green: yes
Commissioner Matlock: yes

4. Reports

- A. Harold Langdon CNE activities: Mr. Langdon gave an oral report including an update on the Catoosa Casino where construction of over 600 additional parking places should be complete by the end of December. Construction for the permanent Tahlequah casino is under way right now and completion is expected September of 2006. Construction for the new Sallisaw casino at NW corner of 59 and 40, is underway and expected completion date is June 2006. Will Rogers Downs is in extensive renovation. Target date for opening is next week for

gaming and the horse racing is expected to begin February 2006. Purchase of property next to the Roland casino has been done. Opening of that casino is expected August 2006. The former owner, Total Petroleum, Inc., parent company of Valero, removed the tanks under OCC. A document was received back from the OCC after a risk based corrective action assessment was submitted and at this time there is no further action required. Valero will be the name of the Truck Plaza. There will be major revamping of at the West Siloam Springs casino which will probably be the latter part of next year.

Chairman Fite voiced concerns about the drought s and felt our casinos should develop green space for catching of water. There will be a retention pond at Roland at what is currently highway 64 and Quapaw Road. The entire intersection will be dramatically changed to allow proper ingress, egress and drainage. There will be a retention pond there to address that issue and has already been approved by all the appropriate parties. The Catoosa casino will soon have a retention pond also. It will be just north of where you come in on Cherokee Boulevard.

B. Environmental Programs: Nancy John submitted a written report that was placed into the record.

C. Roads Activities: Michael Lynn submitted a written report that was placed into the record. Harley Buzzard was present and reported that the Red Barn construction, which is a new road that will run from Reasor's ranch to the Lost City road, will start in two weeks. A bypass will be constructed around the Siloam Springs casino.

D. Natural Resources: Pat Gwin submitted a written report that was placed into the record.

E. Cherokee Nation Landfill: Doug Bane submitted a written report that was placed into the record.

5. Legislation and Rules

A. Environmental Permit Procedures Code

1) Jeannine Hale submitted a new version of the codes for the Commission's review. A list of changes made in Permit Code since mailed out to the EPC were presented and placed into the record. Action by the commission will be delayed until next meeting to allow time for review.

2) Application for a no-cost extension for the ANA Environmental Code grant has been submitted.

6. Cherokee Nation Landfill

- Managing member of ICI will apply for permit applications. Draft permit should be developed and presented to Commission by next meeting.
- The Commissioners requested that the permit processing be complete by February 1, 2006, so the permit will be ready for vote at that time.

7. Gravel Mining by Delaware County Commissioners in Dry Creek streambed

- Pat Gwin gave an oral report: A CN Natural Resources employee in previous years let someone take gravel in Dry Creek near Kenwood. Delaware County Commissioner, David Kendrick, has been in contact with Chief Smith to request

permission to do this again. This would be on trust land subject to the jurisdiction of the Cherokee Nation. It is not subject to state authority. Chief Smith wants a decision on the mining to be expedited with consideration to being a good neighbor. The City of Tulsa's water supply may be impacted.

- A site visit will be planned and all of the Commissioners will be invited. They may want to meet with Chief concerning this issue.
8. Ed Brocksmith of Save The Illinois River (STIR) made a presentation concerning environmental issues associated with poultry litigation being pursued by the Oklahoma Attorney General. He asked for the EPC to support the Attorney General's efforts to protect water quality. Ms. Hale explained that because this matter involved litigation, it would not be appropriate for the EPC to act at this time because the CN Administration had previously decided not to take sides.
 9. New Business – None
 10. Miscellaneous discussion – The next meeting of the Commission will be on January 5, 2006.
 11. Adjournment